

REMARKS

Applicants respectfully request further examination and reconsideration in view of the instant response. Claim 1 is currently amended herein. No new matter has been added as a result of the Claim amendments. Claims 1-29 remain pending in the case.

CLAIM REJECTIONS

35 USC §102

Claims 1-6, 9, 12, 25, 29 are rejected under 35 U.S.C 102(b) as being anticipated by Higginbotham et al. (US patent 5,896,575), herein after referred to as Higginbotham. This rejection is respectfully traversed.

Claim 1 recites:

A portable viewing and computing apparatus comprising:
a bus;
a memory unit coupled to said bus for storing data and instructions;
a processor coupled to said bus for processing said data and instructions;
a display device coupled to said bus and comprising a viewing panel viewable from a front side and a back side, wherein a first image is displayable on said front side and a second image is displayable on said back side; and
a display device controller coupled to said bus and for sensing orientation and rotation of said display device, and in response thereto for controlling said display device.

Claim 1 recites a portable viewing and computing apparatus with a display viewable from both sides. Applicants respectfully submit that Higginbotham fails to teach or suggest “wherein a first image is displayable on the front side and a second image is displayable on the back side,” as claimed. Furthermore Applicants respectfully submit that Higginbotham fails to teach or suggest “sensing orientation and rotation,” as claimed.

In support of the rejection, Higginbotham Figures 1 and 8 are cited. Applicants have reviewed the cited reference and understand Higginbotham to teach a display device that can correct the orientation of an image when the display device is moved from an open position to a closed position (Column 4 lines 34-40). Higginbotham teaches a single image having an orientation that is corrected depending on whether the display device is open or closed.

Higginbotham actually teaches away from the claimed limitations of the present invention by teaching a single image on the display device. The present invention can have an image on the front side that is different from the image on the backside. Higginbotham does not teach or suggest having different images on both sides because the Higginbotham display is transparent and therefore cannot display an image on both sides simultaneously, thereby teaching away from the claimed limitations of the present invention.

Furthermore, Higginbotham fails to teach or suggest “sensing orientation and rotation,” as claimed. Higginbotham may teach a display position sensor that can distinguish between an open position and a closed position (column 3 line 64- column 4 line 5), but Higginbotham fails to teach or suggest sensing rotation of the device. For example, if the Higginbotham display were rotated, the device would not sense rotation and would not change the image, as would the present invention. For Higginbotham, the only factor that initiates a change to the image is opening or closing the display unit. For the foregoing rational, Claim 1 is not rendered obvious over Higginbotham. As such, allowance of Claims 1-6, 9, 12, 25 and 29 is earnestly solicited.

35 USC §103

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham et al. (US patent 5,896,575), hereinafter referred to as Higginbotham, in view of Burrell (US patent 6,330,149), hereinafter referred to as Burrell. This rejection is respectfully traversed.

Higginbotham alone, nor taken in combination with Burrell do not teach or suggest “sensing orientation and rotation,” as claimed. For the reasons stated above, Higginbotham actually teaches away from the claimed limitations of the present invention by teaching a single image on the display device. It would be

impossible for the Higginbotham display to have a different image on each side because the display is transparent.

Burrell fails to remedy the deficiencies in Higginbotham. Applicants have reviewed the Burrell reference and understand Burrell to teach an electronic device that modifies an image based on a horizontal or vertical position. However, Burrell also teaches "mounting upon a horizontal or vertical surface," (abstract) which actually teaches away from the claimed limitations of the present invention. If the present invention were "mounted upon a horizontal or vertical surface" it would prohibit rotation and thus prohibit "sensing orientation and rotation of the display device," as claimed. For the foregoing rational, Claim 7 is not rendered obvious over Higginbotham in view of Burrell. As such, allowance of Claim 7 is earnestly solicited.

35 USC §103

Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham in view of Borgstrom et al. (US patent 6,593,908), hereinafter referred to as Borgstrom. This rejection is respectfully traversed.

Higginbotham alone, nor taken in combination with Borgstrom do not teach or suggest "sensing rotation," as claimed. For the reasons stated above, Higginbotham actually teaches away from the claimed limitations of the present

invention by teaching a single image on the display device. It is not obvious for the Higginbotham display to have a different image on each side because the display is transparent.

Borgstrom does not remedy the deficiencies in Higginbotham. Applicants have reviewed the Borgstrom reference and understand Borgstrom to teach a system and method for providing user input to a device (abstract). Borgstrom does not teach or suggest "sensing orientation and rotation" and "wherein a first image is displayable on the front side and a second image is displayable on the back side," as claimed. For the foregoing rational, Claims 8-11 are not rendered obvious over Higginbotham in view of Borgstrom. As such, allowance of Claims 8-11 is earnestly solicited.

Claims 13-18, 20, 24, and 26 are rejected under 35 U.S.C 103(a) as being unpatentable over Higginbotham in view of Register (US patent 5,673,170), hereinafter referred to as Register. This rejection is respectfully traversed.

For the rational stated above, Higginbotham teaches away from the claimed limitations of the present invention. Register does not remedy the deficiencies in Higginbotham. Register does not teach or suggest "sensing orientation and rotation" or "wherein a first image is displayable on the front side and a second image is displayable on the back side," as claimed. Register

merely teaches a secondary display device. Register does not teach or suggest “sensing orientation and rotation” and “in response thereto for controlling the display device,” as claimed. For the foregoing rational, Claims 13-18, 20, 24, and 26 are not rendered obvious over Higginbotham in view of Register. As such, allowance of Claims 13-18, 20, 24, and 26 is earnestly solicited.

Claims 19, 27-28 are rejected under 35 U.S.C 103(a) as being unpatentable over Higginbotham in view of Register as applied to Claim 13 above, and in view of Burrell. This rejection is respectfully traversed.

For the above rational, Higginbotham does not teach or suggest “sensing orientation and rotation” and “in response thereto for controlling the display device,” as claimed. Furthermore, for the above rational, Register nor Burrell, remedy the deficiencies in Higginbotham. Therefore, Claims 19, 27-28 are not rendered obvious over Higginbotham in view of Register as applied to Claim 13 above, and in view of Burrell. As such allowance of Claims 19, 27-28 is earnestly solicited.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Higginbotham in view of Register as applied to claim 13 above, and further in view of Borgstrom. This rejection is respectfully traversed.

For the above rational, Higginbotham fails to teach or suggest “wherein a first image is displayable on the front side and a second image is displayable on the back side,” as claimed. For the above rational, neither Register nor Borgstrom remedy the deficiencies in Higginbotham. For the foregoing rational, Claims 21-23 are not rendered obvious over Higginbotham in view of Register as applied to claim 13 above, and further in view of Borgstrom. As such, allowance of Claims 21-23 is earnestly solicited.

CONCLUSION

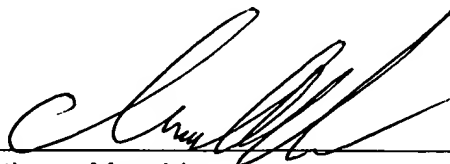
As stated above, Higginbotham fails to teach or suggest "sensing rotation," as claimed. Furthermore, Higginbotham is unable to display multiple images on multiple sides of the display device, as claimed, because the Higginbotham display is transparent. In light of the above listed remarks, reconsideration of the rejected Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-29 overcome the rejections and objections of record and, therefore, allowance of Claims 1-29 is earnestly solicited.

Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO L.L.P.

Dated: 12/15, 2003


Anthony Murabito
Registration No. 35,295

Two North Market Street
Third Floor
San Jose, CA 95113
(408) 938-9060

Serial No. 09/874,473
Examiner: Nguyen, Kimnhung

Art Unit: 2674